

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYLER O'BRIEN JOHNSON,

Plaintiff,

Case No.: 1:12-cv-486

v.

HONORABLE PAUL L. MALONEY

PAUL SCHREIBER,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by United States Magistrate Judge Joseph G. Scoville in this action (ECF No. 49). The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that plaintiff's claims for injunctive and declaratory relief against defendant are **DISMISSED as moot**.

IT IS FURTHER ORDERED that plaintiff's claim for damages against defendant in his official capacity is **DISMISSED with prejudice**.

IT IS FURTHER ORDERED that defendant's motion for summary judgment (ECF No. 46) is **GRANTED**.

Dated: March 14, 2014

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge